

a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and the article was not labeled as prescribed in such compendium since its label failed to state the potency in terms of vitamin B₁₂ activity, as the compendium requires. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: June 23, 1954. Default decree of destruction.

4458. Misbranding of Chilton's throat tablets. U. S. v. 39 Cartons * * *.
(F. D. C. No. 36396. Sample No. 40042-L.)

LIBEL FILED: February 18, 1954, Southern District of California.

ALLEGED SHIPMENT: On or about January 12, 1954, by the Chilton Laboratories, from Montclair, N. J.

PRODUCT: 39 cartons, each containing 12 retail packages, of *Chilton's throat tablets* at North Hollywood, Calif.

LABEL, IN PART: (Carton) "Chilton's Throat Tablets * * * Sore Throat New Antibiotic * * * Tyrothricin * * * Recently authorized for sale to public by U. S. Government Agency (F. D. A.)"; (retail package) "Chilton's * * * Throat Tablets. Each tablet contains 2 mg. of tyrothricin and 5 mg. benzo-caine * * * For relief of Sore Throat due to minor irritations."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the carton and package labels of the article were false and misleading since the statements represented and suggested that the article was an adequate and effective treatment for sore throat, whereas the article was not an adequate and effective treatment for sore throat.

Further misbranding, Section 502 (a), the statement on the carton label of the article, namely, "Recently authorized for sale to public by U. S. Government Agency (F. D. A.)," was misleading since it represented and suggested that the article designated "Chilton's Throat Tablets" had been authorized for sale by the Food and Drug Administration under the labeling employed therefor, whereas such was contrary to fact.

DISPOSITION: April 21, 1954. Default decree of condemnation and destruction.

4459. Misbranding of electrotherapy device. U. S. v. 1 Device * * *. (F. D. C. No. 34928. Sample No. 42434-L.)

LIBEL FILED: April 6, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about August 1, 1952, by Rittenhouse & Revere, Inc., from Albuquerque, N. Mex.

PRODUCT: 1 *electrotherapy device* at Salinas, Calif. The device was designed for vaporizing liquids and for producing galvanic, surge galvanic, sine wave, and faradic voltages.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in an accompanying circular entitled "Physics" were false and misleading. The statements represented and suggested that use of the device constituted an adequate and effective treatment for adhesions, amenorrhea, anemia, aphonia, emphysema, bronchiectasis, bronchitis, cataracts, cerebral congestion, cervical laceration, cervicitis, stenosis of the cervix, cirrhosis of the liver, colitis, constipation, deafness, dysmenorrhea, endometritis, erosion of the cervix, stricture of the esophagus, granulated eyelids, fibroids, adolescent goiter, colloid goiter, herpes zoster, hypertension, hyperovarianism, intestinal stasis and ptosis, iritis, chronic nephritis, kraurosis vulvae, labyrinthitis, leukorrhea, mastitis,